

REMARKS

In the Advisory Action dated May 12, 2009, the Examiner indicated that the response to the Final Office Action dated January 27, 2009, which was filed electronically on April 27, 2009, did not place the application in condition for allowance. In response, Applicants are filing a RCE and a Second Response to Final Office Action dated January 27, 2009, having a shortened statutory period for response extended three months set to expire on July 27, 2009. The Second Response to Final Office Action is filed in place of the Response to Final Office Action electronically filed on April 27, 2009. Please reconsider the claims pending in the application for reasons discussed below.

Claim Rejections Under 35 USC § 112

The Examiner rejected claim 5 because there is insufficient antecedent basis for "the stove's combustion chamber" in the claim. In response, Applicant has amended claim 5 accordingly. Therefore, Applicant respectfully requests the § 112 rejection be removed.

Claim Rejections Under 35 USC § 103

The Examiner rejected claims 1-4 under 35 U.S.C. 103(a) as being unpatentable over Purcell (US 4,964,397) in view of Cappelen (NO 63947) and further in view of Barnett (US 4,502,395). Applicant believes that the Examiner is referring to claims 5, 6 and 8 rather than claims 1-4 as stated in the Office Action. In response, Applicant has amended independent claim 5.

As amended, claim 5 includes the limitation of a substantially flat plate assembly having a fold along each edge of the plate assembly, wherein the plate assembly is configured to form a chamber when installed on the inner side of a side or rear wall of an existing traditional stove and wherein the plate assembly includes a first plate and a second plate, the first plate overlaps a portion of the second plate. The combination of Purcell, Cappelen and Barnett fails to disclose these limitations. Purcell merely discloses a curved intermediate wall 40 having an inlet 76 and an outlet 80 (see Purcell,

col. 5, lines 30-40 and Figures 5-6). Cappelen merely discloses a stove having a single plate 15 with a plurality of nozzles 18 (see Cappelen, Figure 3) and thus fails to cure the deficiencies of Purcell. Barnett merely discloses a combustion gas mixing apparatus having a combustion chamber 4 with a primary air supply path 8 and a secondary air supply path 10 (see Barnett, Figure 1) and thus also fails to cure the deficiencies of Purcell. Therefore, the combination of Purcell, Cappelen and Barnett fails to disclose a plate assembly having a first plate that overlaps a second plate, wherein the plate assembly is configured to form a chamber when installed in an existing traditional stove.

As the forgoing illustrates, that combination of Purcell, Cappelen and Barnett fails to teach the limitations of claim 5. Applicant therefore submits that claim 5 is in condition for allowance and respectfully requests withdrawal of the § 103(a) rejection. Additionally, the claims that depend from claim 5 are allowable for at least the same reasons as claim 5.

The Examiner rejected claim 7 under 35 U.S.C. 103(a) as being unpatentable over Purcell in view of Barnett and further in view of Cappelen. Applicant respectfully traverses the rejection. Claim 7 depends from claim 5 and is allowable for at least the same reasons as claim 5. Therefore, Applicant respectfully requests the § 103(a) rejection of claim 7 be removed and allowance of the same.

New Claims

New claims 9-20 have been added to claim aspects of the present invention. Applicant submits that no new subject matter has been added. Applicant believes that the combination of Purcell, Cappelen and Barnett fails to disclose all the limitations in new claims 9-20. Therefore, Applicant believes that new claims 9-20 are in condition for allowance and respectfully requests the same.

Conclusion

Having addressed all issues set out in the Final Office Action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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